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Letter dated 16 May 2014 from the Chair of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, and in accordance with paragraph 5 (b) of resolution 2128 (2013), I have the honour to submit herewith the midterm report of the Panel of Experts on Liberia.

I would appreciate it if this letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Zeid Ra'ad Zeid **Al-Hussein**
Chair
Security Council Committee established pursuant to
resolution 1521 (2003) concerning Liberia

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Letter dated 25 April 2014 from the Panel of Experts on Liberia addressed to the Chair of the Security Council Committee established pursuant to resolution 1521 (2003)

The members of the Panel of Experts on Liberia have the honour to transmit the midterm report of the Panel, prepared pursuant to paragraph 5 (b) of Security Council resolution 2128 (2013).

(*Signed*) Lansana **Gberie**

(*Signed*) Benjamin **Spatz**

Midterm report of the Panel of Experts on Liberia submitted pursuant to paragraph 5 (b) of Security Council resolution 2128 (2013)

Contents

		Page
I.	Introduction	4
II.	Methodology	4
III.	Current measures relating to arms pursuant to resolution 1903 (2009) and modified pursuant to resolution 2128 (2013)	5
	A. Stockpile management of government armouries and weapons marking	7
	B. Notifications and compliance with paragraph 2 of resolution 2128 (2013)	9
	C. Small arms legislation	10
IV.	Cross-border security concerns and the arms embargo	12
	A. Militant activity in Liberia and the attacks on Fete and Grabo, Côte d'Ivoire	13
	B. Liberia-Sierra Leone border	17
V.	Illicit trafficking as a possible source of funding for arms	18
	A. Illicit trafficking in minerals	18
	B. Artisanal weapons traffic	19
	C. Drug trafficking	19
VI.	Recommendations	22
Annexes*		
I.	List of entities with which the Panel had meetings and consultations	24
II.	Arrest of individuals in Liberia and the transfer of refugees to Côte d'Ivoire	25
III.	Attacks on Fete and Grabo, Côte d'Ivoire	26
IV.	Example page of the detailed roster of 72 individuals	27
V.	Example page of the roster of individuals listed by noms de guerre	28
VI.	Two documents listing suspected locations of militants	29
VII.	Suspected breakdown of militants located in Liberia and Côte d'Ivoire	31
VIII.	Militant groups and suspected commanders	32
IX.	"Attack on rangers": report by the Gola Rainforest National Park (Sierra Leone)	33

* The annexes are circulated in the language of submission only.

I. Introduction

1. By its resolution 2128 (2013), the Security Council extended the mandate of the Panel of Experts on Liberia until 10 December 2014. In a letter dated 30 December 2013 addressed to the President of the Council (S/2013/777), the Secretary-General appointed Lansana Gberie (Canada) and Benjamin Spatz (United States of America) to the Panel, with Mr. Gberie serving as Coordinator.

2. The Panel was mandated to conduct assessment missions to Liberia and neighbouring States in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolutions 1903 (2009) and 2128 (2013). The mandate included investigating the various sources of financing for the illicit trade of arms and examining progress in the security and legal sectors with regard to the ability of the Government of Liberia to effectively monitor and control the flow of arms and the security of its borders. The Panel was also required to provide an update on the progress of the Government in meeting notification requirements.

II. Methodology

3. The Panel worked in close cooperation with the Government of Liberia, the United Nations Mission in Liberia (UNMIL) and the United Nations Operation in Côte d'Ivoire (UNOCI). The Panel regularly exchanged information with the Group of Experts on Côte d'Ivoire and other relevant entities.

4. The Panel visited Liberia and neighbouring countries in February and March 2014. In Liberia, the Panel conducted field visits to Bong, Grand Cape Mount, Grand Gedeh, River Gee and Maryland counties. The Panel also conducted field visits to Freetown and the Kenema and Pujehun districts of Sierra Leone, in addition to Tabou, Grabo, Fete and surrounding villages in the Bas Sassandra region of Côte d'Ivoire. Annex I provides a list of entities with which the Panel had meetings and consultations during the reporting period.

5. The Panel pursued investigations into any violations of the measures relating to arms, focusing in particular on the cross-border movement of mercenaries and militias between Liberia and neighbouring States because those groups have been the main sources of verifiable arms embargo violations in the past and remain a likely source of future violations and future instability. The investigation focused on the border region with Côte d'Ivoire in the light of the attacks of 23 February on the Ivorian villages of Fete and Grabo. The Panel accorded priority to analysis of the capacity of the Government of Liberia to effectively monitor and regulate its borders, its existing weapon stockpiles and the illicit trade in weapons within Liberian territory, with particular focus on the legal framework around small arms and ammunition, and on weapons marking and stockpile management of government armouries. The Panel also investigated illicit trafficking as a possible source of funding for illicit arms. That work included an examination of official and unofficial records relating to the illicit trade in narcotic drugs, including the involvement of some security agents as couriers, and the vulnerability of the Freeport of Monrovia as a trans-shipment facility for such drugs. In all its efforts, the Panel worked with and provided assistance and information to the relevant government authorities, UNMIL and United Nations agencies.

6. The Panel sought the active cooperation of government and United Nations officials during its investigations. It accorded priority to field-based investigations and interviews with primary sources, including State and non-State actors. It sought incontrovertible documentary or physical evidence to support its findings. Its findings were, where possible, brought to the attention of those concerned to afford them an opportunity to further explain or refute evidence presented by the Panel.

III. Current measures relating to arms pursuant to resolution 1903 (2009) and modified pursuant to resolution 2128 (2013)

7. By paragraph 4 of its resolution 1903 (2009), the Security Council modified the arms embargo on Liberia, which was later renewed under resolution 2128 (2013), to cover the supply, sale or transfer of arms and any related materiel and the provision of any assistance, advice or training relating to military activities, including financing and financial assistance, to all non-governmental entities and individuals operating in the territory of Liberia. The measures on the notification requirements were modified pursuant to subparagraphs (i), (ii), (iii) and (iv) of paragraph 2 of resolution 2128 (2013) such that the Government now has the primary — but not the sole — responsibility to notify the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia in advance of any shipment of arms and related materiel to the Government or of any provision of training. Previously, this responsibility lay with States sending arms and materiel and providing training.

8. Government officials with whom the Panel spoke appeared unaware of the current notification requirement that invests the Government with primary notification responsibility. Moreover, most officials expressed the belief that the Government was prohibited by the sanctions regime from importing any weapons or ammunition or receiving security sector training without prior permission from the United Nations, which has not been the case since resolution 1903 (2009). The Panel explained the notification requirements to officials in the Ministry of Defence, the Ministry of Foreign Affairs, the Office of the President, the Armed Forces of Liberia, the Liberian National Police, the Executive Protection Service, the National Security Agency and the Liberia National Commission on Small Arms, in addition to a relevant member of the Legislature. Furthermore, the Panel helped to facilitate a briefing on the notification requirements for the armed forces, arranged by the United Nations Mine Action Service on 6 March 2014, at which the UNMIL Legal and Judicial Systems Support Division detailed the new requirements.

9. The Panel's investigation found no significant and verifiable arms embargo violations during the mandate period, although it did find systemic weaknesses that require further investigation and attention as UNMIL draws down and the Government takes the final steps towards full ownership of its security sector. This is particularly acute with regard to border security and the continued activity among Ivorian militias operating in Liberia with support from Liberian facilitators. Government officials informed the Panel in February and March of concerns that weapons remain hidden in the forested border areas, especially along the border with Côte d'Ivoire. The Panel notes that the Liberian disarmament, demobilization, rehabilitation and reintegration programme has collected and destroyed 30,807 weapons, most of which (64 per cent) were taken from government forces. Many

weapons were not surrendered to the programme, in particular those held by rebel groups outside Monrovia (S/2006/976).

10. The Ivorian national reconciliation process has shown limited progress, with individuals on both sides of the border, often ethnically and linguistically linked, having in the past perpetrated violent attacks against government forces in Côte d'Ivoire as a way of highlighting their grievances and also to exact revenge for perceived injustices.[1] The Panel notes that elections are often triggers for violence, which can easily spill across international borders and create further political instability. In 2015, presidential elections are scheduled to be held in Côte d'Ivoire and Guinea. In February 2013, Guinea held long-overdue legislative elections. In related violence, 9 people were killed and more than 220 injured. The most recent election in Côte d'Ivoire spiralled into civil war; the underlying causes of that conflict remain unaddressed. Any renewed violence would probably cause refugee movements from Côte d'Ivoire to Liberia. Given that militants tend to blend with genuine refugees during such movements, this would fuel further cross-border instability and present significant challenges to the Governments of Liberia and Côte d'Ivoire. The case of the attacks on Fete and Grabo and the associated arrests in February highlighted this persistent phenomenon (paras. 43-60 and annexes II and III). They also underscored the persistent weaknesses in the Government's investigatory capacity and ability to secure its side of the border region, together with the limits to Liberian and Ivorian cross-border cooperation.

11. In addition to the border concerns, no weapons have yet been marked as required under resolution 1903 (2009). The Government recently acquired two marking machines, however, enabling it to begin the process (paras. 18-20). The management of the Government's weapon and ammunition stockpiles in government armouries — overseen by UNMIL firearms inspection teams and advisers — appears adequate, if imperfect (paras. 14-17 and 21).

12. Limited progress has been made towards establishing the legal framework to regulate arms and the Panel is concerned that the pace of action is too slow for enactment in 2014 (paras. 29-30). The lack of national legislation governing the importation and possession of weapons, coupled with the inability of the Government to monitor large portions of its territory, impedes any effective arms monitoring by the State.

13. Moreover, the apparent increase in drug trafficking into and out of Liberia presents further concerns for State security. If trafficking networks become entrenched, opportunities for funding illicit arms will increase, as will the ease of moving materiel through clandestine routes.

[1] The Panel notes that the Krahn ethnic group, mainly of Grand Gedeh county, but also in southern Nimba county, is ethnically and linguistically linked to the Guéré in Côte d'Ivoire. Similarly, the Kroumen in Côte d'Ivoire share ethnic and linguistic ties with the Grebo in Liberia, historically located in River Gee and Maryland counties. These are currently the areas of greatest concern along the border with Côte d'Ivoire.

A. Stockpile management of government armouries and weapons marking

14. In its resolution 1903 (2009), the Security Council reiterated that the Government of Liberia was to mark all weapons and ammunition in its possession, maintain a registry of them and formally notify the Committee that those steps had been taken. The Panel is not aware of any such notification by the Government to the Committee. The Panel believes that the implementation of the measures stipulated in the resolution would enhance the ability of the Government to properly manage its weapon and ammunition stocks and would discourage the misappropriation or theft of this materiel.

15. The firearms inspection teams of the UNMIL military and police components conducted formal inspections of all government armouries in 2014. The Panel worked closely with those teams and analysed the report of the UNMIL military component team, but was unable to do so for the other team because its report had not been finalized before the submission of the present report. In the absence of that report and given the need to investigate weapons marking and stockpile management further, the Panel obtained access to and analysed the armouries of the armed forces, the coast guard, the Emergency Response Unit and Police Support Unit of the national police and the Executive Protection Service. The Panel did not access the armoury of the National Security Agency.

16. The Panel's investigation into the government armouries arrived at the same initial conclusion as the current UNMIL inspection report on the armoury of the armed forces and as past UNMIL inspection reports on the armouries of the National Security Agency, the Executive Protection Service and the Emergency Response Unit and Police Support Unit of the national police. The standard maintained by Liberian armourers is adequate, if imperfect, but the markings on weapons and ammunition are insufficient.

17. The Panel has consistently reported on the lack of adequate markings on government weapons. By not marking weapons sufficiently, Liberia has failed to comply with the Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials (S/2013/316, paras. 8-11, and S/2013/683, paras. 6 and 22-25). Instituting this measure would constitute best practice of stockpile management and reduce the threat posed by illicit trafficking in arms.

18. On 19 March 2014, the Government formally obtained two Modern Couth MC2000 arms marking machines that were given to the Liberia National Commission on Small Arms by the ECOWAS Small Arms Unit and the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States under an African Union and European Union project on small arms and light weapons. Two days of training on how to use the machines followed the official handover, attended by staff from the relevant government agencies, including the national police, the National Security Agency, the armed forces and the Executive Protection Service. This is a critical step in complying with the ECOWAS Convention on Small Arms and Light Weapons and strengthening safeguards around arms trafficking and illicit arms.

19. It is unclear where exactly the marking machines will be housed. Some government officials indicated that they would be stored in the office of the Liberia

National Commission on Small Arms, located on the 1st floor of the Ministry of Foreign Affairs, which since 2006 has served as the Executive Mansion. The machines should be stored in a national armoury to ensure proper care and limit the possibilities of damage, theft or improper usage, such as the marking of weapons not currently known to be in government stockpiles.

20. Over time, more marking machines will be needed. Once the Government passes the firearms legislation and regulations, it will need to be able to mark all weapons in its stockpiles and all other weapons that enter the country legally. In all likelihood, this will include a need to mark weapons outside Monrovia. It would be unsustainable if the only marking machines are in Monrovia and the onus is on any weapon owner to bring their weapon to the capital. The likely result would be that many weapons outside Monrovia would remain unmarked and unregistered.

21. The Panel found some minor inconsistencies and instances not in conformity with best practice of stockpile management in the armouries. Examples include a rifle being placed in the incorrect weapon rack, weapons that were not logged in or out properly, inconsistent use of weapon cards, filing and database management errors, storage of weapons and ammunition in non-climate-controlled facilities (which over time damages the integrity of the materiel) and ammunition not being stored in adequate containers. The Panel and the UNMIL firearms inspection team informed the relevant authorities of those minor issues. None of those instances separately, or taken together in the aggregate, constitute significant concerns for the Government's ability to manage its own stockpiles. In the absence of UNMIL inspections, however, such minor inconsistencies are more likely to accumulate and become broader systemic challenges, such as misplacing weapons altogether. The Panel calls for continued efforts to professionalize the armourers and to enhance armoury stockpile management and for the Government, with UNMIL assistance, to build in systematic checks and monitoring mechanisms that will fill the gap left when UNMIL inspection teams no longer monitor the armouries.

22. The Panel received unverified information regarding unmarked and uncatalogued weapons in the armouries and weapons that had been removed from official armouries. To best evaluate the government stockpiles and management systems, the Panel conducted spot checks of the armouries, but was unable to view every weapon because some of them were in use, including those assigned to the soldiers deployed in the United Nations Multidimensional Integrated Stabilization Mission in Mali. The Panel found only one weapon in a government armoury that was not officially part of the weapon stockpiles: a .22 calibre revolver with two bullets that was being secured in the coast guard armoury. The coast guard informed the Panel that the weapon had been confiscated during a raid. The Panel found no other evidence to substantiate claims that unofficial weapons were in government armouries or that official weapons in government armouries had been removed therefrom. It will continue to investigate.

23. The revolver in question is useless to the coast guard and should be turned over to UNMIL for destruction. Similarly, the Panel observed that the national police, armed forces and Executive Protection Service stockpiles contained weapons that had been damaged or were otherwise unusable, in addition to amounts of expired, damaged or otherwise unusable ammunition. That materiel should be turned over to UNMIL for destruction.

B. Notifications and compliance with paragraph 2 of resolution 2128 (2013)

24. The measures on notification requirements were modified pursuant to subparagraphs (i), (ii), (iii) and (iv) of paragraph 2 of resolution 2128 (2013) such that the Government has the primary responsibility to notify the Committee in advance of any shipment of arms and related materiel to the Government or of any provision of training. During the mandate period, the Panel was not aware of any notifications regarding arms shipments or training being sent to the Committee, or of deliveries of arms to the Government.

25. The Panel was informed about two likely future procurements of arms, ammunition and training. First, UNMIL trainers and advisers are assisting the national police to conduct a needs-based assessment in line with a request in resolution 2128 (2013) to better equip the national police, in particular its armed Emergency Response Unit and Police Support Unit. The assessment is expected to lead to procurement of weapons, ammunition and materiel in 2014, which would trigger the need for a notification. The Panel stresses that it is important for UNMIL to continue to assist the Government to conduct needs-based assessments that determine the appropriate type and quantity of arms, ammunition and materiel for each armed unit of the Government.

26. Second, there is a longer-term effort to provide weapons to the Bureau of Immigration and Naturalization, although it is unclear whether the steps to procure training, arms and ammunition for the Bureau will be finalized in 2014. Given that the Bureau has primary responsibility for monitoring and securing the country's porous borders, providing proper training and equipment is critical. Bureau personnel have received less attention and technical and financial support than the other Liberian security agencies in the post-war years. Consequently, many have not undergone a meaningful vetting process and have less formal training than national police officers and members of the armed forces. Before arms and ammunition can be responsibly procured by the Bureau, its personnel and officers require further training. The Panel welcomes moves by UNMIL and others to emphasize the central role that a Bureau with enhanced capacity will play in the future of Liberia.

27. As these two processes move forward, it will be important for the Government to take further ownership of its security arrangements by working with UNMIL and States to ensure that they take appropriate and timely action to notify the Committee ahead of possible future shipments of arms and materiel and the provision of training. The Panel emphasizes that notifications must include the relevant information regarding the date of delivery, mode of transportation and itinerary of the shipments so that the shipments can be properly tracked. Failing to do so could constitute an arms embargo violation or result in illicit movements of weapons and materiel. At a minimum, it creates confusion, as the Panel reported in the case of the delivery of 30 Jericho pistols to the National Security Agency from Israel (S/2013/316, para. 7, and S/2013/683, para. 21).

28. Clear communication is necessary among the Government, States, UNMIL and the Committee regarding arms, related materiel and the provision of training. A senior security sector adviser in UNMIL informed the Panel that UNMIL had been unaware of the procurement, shipment and acquisition of the Jericho pistols before being informed of it by the Panel in 2013. This is of concern in terms of UNMIL

support in marking weapons and managing stockpiles, the accuracy of which is undermined if UNMIL is not fully aware of what has been acquired and is supposed to be added to government stockpiles.

C. Small arms legislation

29. National firearms legislation remains absent, but is critical to providing the legal framework and institutional mechanism to ensure effective small arms control in Liberia (S/2011/757, para. 101, S/2012/901, paras. 13-14, S/2013/316, paras. 5-6, and S/2013/683, para. 5). In February and March, there was progress in this direction. On 12 and 13 February, the Liberia National Commission on Small Arms held a two-day stakeholder consultative workshop to review the draft firearms control act, during which a number of shortcomings were identified. Consequently, the Commission reworked the document with the assistance of an outside expert. A new draft was submitted to the Commission in mid-March.

30. The Commission informed the Panel that it intended to have the draft submitted to the Legislature in April 2014, with the aim of having it passed before the Legislature went into recess in July. The Panel notes that, at the time of submission of the present report, the legislation had not been submitted to the Legislature. The Panel is concerned that the Legislature is unlikely to enact the legislation in 2014, given the compressed timeline, its poor record of passing important legislation and the fact that some key legislators are already focused on their 2014 re-election campaigns. Until this legislation is passed, however, there is no national legislation in place to regulate the purchase, possession and control of small arms, possibly creating incentives for illicit trafficking of arms. This has been the case since Presidential Executive Order No. 34, which banned the importation and possession of firearms and ammunition, except hunting shotguns, expired in October 2012 (S/2013/316, para. 5).

31. The Panel reviewed the version of the draft legislation that was being considered by the Commission in March. The draft differs from the 1956 Firearms Traffic Act in several significant respects, which could have an impact on the proliferation of firearms. In the draft, the Inspector General of the national police is invested with sole authority for the registration, licensing and control of small arms and light weapons, ammunition and other related materiel. The Inspector General would create a small arms control unit in the national police tasked with registering, tracking and controlling small arms and ammunition throughout Liberia. The unit would be represented in every county and answerable directly to the Inspector General. Arms brokers would also have to register with the Inspector General, who should maintain a register of all brokers in the country. Those broad powers are, however, constrained in the draft legislation by those vested in the Commission, without whose licences no person may import or export, or cause to be imported or exported, small arms and light weapons or other related materiel.

32. Marking or stamping of government weapons was underlined in the 1956 Firearms Control Act, under which it was mandated that all guns and other munitions of war purchased or imported for the Government of Liberia "shall be stamped 'R.L.' under direction of the Secretary of National Defence before they shall be used". In the current draft, it is stipulated that such weapons should be "marked prior to or at the time of importation" (presumably by the manufacturers)

to Liberia. It is stated in the draft, however, that "small arms and light weapons, or other related materials from government stockpiles" that are to be transferred for permanent use by authorized persons, should be marked before the transfer takes place. It is recommended in the draft that national security agencies, once the legislation enters into force, establish procedures for the registration and marking of their weapons, including with the year of manufacture, the country of manufacture, the name of the manufacturer, the serial number and the letters "R.L.".

33. The most significant difference is the absence in the draft legislation of the discriminatory clause in the 1956 Firearms Control Act that placed prohibitive restrictions on access to firearms by what were termed "aborigines" — or about 95 per cent of the Liberian population. Under the draft legislation, all citizens or legal residents of Liberia over 18 years of age, who have not been convicted of a violent crime and are not of unsound mind or addicted to narcotic drugs, may apply for a licence to possess a portable single-shot rifle. Even thus limited, the legislation further limits an individual to only one rifle and only for professional (not recreational) hunting and pest or vermin control. The Panel commends this restriction.

34. The Panel is of the opinion that, if and when passed, the legislation will establish adequate judicial regulations pertaining to the trafficking and possession of firearms.

35. The Panel notes that there is a genuine danger of firearms proliferation in Liberia if the legal framework regulating the importation and personal acquisition of firearms is not adopted as a matter of urgency. Anxiety about this issue is strong among government officials. The Constitution of 1847 enshrines the right of Liberian citizens to keep and bear arms for the common defence. Government officials, civil society activists and United Nations officials with whom the Panel spoke in Liberia persistently lamented the growing number of violent incidents involving firearms. Such firearms are mostly single rifle shotguns and sometimes pistols, many of them smuggled into the country from Guinea through the country's porous borders. The guns have in the past been used in cross-border attacks by militia elements, making them a potential threat to peace and security in Liberia and the region. Their unregulated trafficking across borders constitutes a violation of the arms embargo.

36. The Panel reviewed crime statistics from the national police and the United Nations police component for the past two years. In 2012, there were 379 arrests for illegal possession of firearms, compared with 178 in 2013. The Panel was told that, the decline in 2013 notwithstanding, greater vigilance by the police had led to an increase in such arrests in 2014. From 1 January to 7 March 2014, there were 38 arrests for illegal possession of firearms, indicating an upward trend. An alarming trend is the growing incidence of homicides involving firearms. In 2012, the police recorded 367 homicides, a third of which involved the use of firearms. The figure was higher in 2013 (133), with more than a third involving the use of firearms. Some of the homicides resulted from armed robbery, the occurrence of which peaked in 2012 (465 incidents). In 2013, there were 259 incidents of armed robbery, pointing to a downward trend. From 1 January to 7 March 2014, however, the police recorded 42 cases of armed robbery, an upward trend. Such crimes test the limited capacity of law enforcement agencies and underscore the continuing fragility of Liberia.

37. The Panel notes that the failure to enact the firearms legislation also means that there is no database of privately owned guns in the country. The Liberia National Commission on Small Arms, which is mandated to maintain a centralized weapons registration database and oversee weapons marking in accordance with ECOWAS standards,[2] has been operating with a lone commissioner since September 2013, even though it is supposed to have three, one of whom is supposed to have a security background. This is presumably in order to be able to perform the task above effectively. As it is currently constituted, the Commission appears not to be properly equipped, even when the firearms legislation is passed, to perform its functions. The Panel urges the Government and its partners to have the Commission properly resourced in order for it to be able to carry out its mandate.

IV. Cross-border security concerns and the arms embargo

38. Considerable challenges to durable peace in Liberia remain in the tightly interconnected subregion, most acutely along the border regions with its neighbours, in particular Côte d'Ivoire. Liberia has weak capacity to monitor its borders with Côte d'Ivoire (716 km), Sierra Leone (310 km) and Guinea (560 km). While an arms embargo might not be the most effective mechanism to prevent cross-border trafficking, it remains one of the few tools to investigate the sources of financing, arms and ammunition supply and the combatant networks operating in the border region (S/2013/316, para. 32). The region bordering Côte d'Ivoire remains of particular concern to the Panel because of the unresolved political and social issues in that country, which have triggered deadly attacks by mercenary and militia groups in the past. The attacks on Fete and Grabo, the arrests made in Liberia and the subsequent handover of Ivorian refugees resident in Liberia to the Government of Côte d'Ivoire highlight four main factors relating to security along the border.

39. First, the attacks on Fete and Grabo were limited, low-intensity attacks that did not threaten the security of either Liberia or Côte d'Ivoire. They demonstrated, however, that some Liberians, Ivorians resident in Liberia and Ivorians in western Côte d'Ivoire continued to have both the ability and the intent to organize, facilitate and attack government targets in Côte d'Ivoire. The Panel's analysis suggests that such attacks are likely to increase in the future. The Panel is particularly worried about attacks in the lead-up to the Ivorian elections in 2015.

40. Second, the operational capacity of groups based along the border with Côte d'Ivoire appears to be limited, making them incapable of truly threatening State security in either Liberia or Côte d'Ivoire. Nevertheless, the groups continue to maintain the capacity to cause localized instability, terrorize the rural population and launch limited reprisal attacks against the national armed forces of Côte d'Ivoire for perceived atrocities committed during and after the electoral crisis in that country.

41. Third, the Government of Liberia has weak capacity to conduct thorough investigations, especially into complicated cases outside Monrovia. Moreover, and related to the quality of investigation, there is weak capacity to prosecute criminal

[2] Liberia signed the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials in June 2006. The Convention provides for strict controls on the transfer, manufacture, possession and security of small arms and light weapons. Shortly thereafter, the Government drafted a firearms control act, which has since undergone several permutations without being discussed by the Legislature.

cases effectively. This is acutely seen in the case against the mercenaries who killed the seven peacekeepers from the Niger in 2012.

42. Fourth, the arrests of Ivorians in Liberia and their transfer to the authorities in Côte d'Ivoire suggest enhanced security cooperation between the two Governments, which is commendable. The transfer of the Ivorians, some of whom were refugees, without due process is, however, an unfortunate example of where that cooperation was flawed. Cross-border security cooperation can be improved significantly, especially with regard to sharing relevant information.

A. Militant activity in Liberia and the attacks on Fete and Grabo, Côte d'Ivoire

43. An example of the Government's weak capacity to undertake thorough security investigations, especially those involving complex incidents that occur outside Monrovia, relates to the arrests, between 7 and 14 February, by the national police of 26 individuals, allegedly for association with militant activity and a plot to attack Côte d'Ivoire. Evidence obtained by the Panel indicates that at least some of those individuals had the intention of joining a larger militia group that attacked Fete and Grabo, Côte d'Ivoire, on 23 February, killing four Ivorian soldiers and stealing their AK-47 rifles (paras. 57-60 and annex III). One of the arrested individuals is a known militia member (para. 49). Of those arrested, 21 were Ivorian. On 17 February, the national police transported the individuals across the Cavalla river and turned them over to Ivorian officials. Some of those arrested and transferred were registered refugees. The Office of the United Nations High Commissioner for Refugees (UNHCR) has stated that their return to Côte d'Ivoire without due process was a violation of international law pertaining to refugees (annex II).

44. That individuals apparently intent on carrying out militant activity were stopped by government authorities is positive. The transfer of the detained Ivorians to Côte d'Ivoire without due process could, however, have been avoided had the Government of Liberia conducted an in-depth investigation into their background. In addition, by turning over those individuals before having conducted a thorough investigation, it is likely that significant information and evidence was lost that could have further revealed the networks of Liberians and Ivorians that continue to show interest in launching attacks along the border region and have the willingness and capacity to do so.

Evidence of militia activity

45. Evidence collected by the national police and that independently obtained by the Panel indicates that at least some of the individuals arrested had been involved in militia activity with the intention of attacking government positions in Côte d'Ivoire. The evidence includes notebooks, mobile telephone SIM cards and mobile telephones obtained from the detainees, in addition to interviews with the detainees and the Panel's militia sources.[3] It is very encouraging that these evidentiary items were preserved by the national police, given that vital evidence has previously been

[3] Other items that the national police found on the arrested individuals included Liberian and Ivorian mobile telephone SIM cards and many items of magical protection or *zigay* (believed to protect them from bullets, etc.) that combatants carry when they conduct attacks.

lost in the initial stages of investigation.[4] All the items found on the arrested individuals were, however, aggregated and placed into an empty rice bag. That each individual's belongings were not catalogued makes it extremely difficult to determine and prove the ownership of individual pieces of evidence, which has implications for building and prosecuting strong cases. This exemplifies the most basic challenges facing the national police in conducting investigations.

46. The Panel obtained access to two notebooks taken from the arrested individuals that contain incriminating data. They contain detailed information, including a roster of 72 individuals with names, dates and places of birth, telephone numbers and associated noms de guerre (annex IV). Some of the noms de guerre include Bebe Blood, Don't Blem Me, AK-47, Dragon, Sans Pitié (No Mercy), Chien Méchant (Mad Dog), Guerrier Fou (Mad Warrior) and Cimetière (Graveyard) (annex V). The Panel notes that none of the apparently real names were the same as — although some were similar to — those of the Ivorians arrested by the national police (para. 43). The Panel also notes that individuals in the region often use different names at various times, as in the case detailed below of Hansen Kapet Weah, who also uses the name Koudou Kapet Carlos (paras. 50-52).

47. Two separate lists contain the noms de guerre and include designations such as "HP", "CI", "LW" and "231", which the Panel has reason to believe relate to locations inside Liberia. The Panel notes that "231" is the telephone country code for Liberia and that "HP", "CI" and "LW" are the common abbreviations for Harper (a town in Maryland county, Liberia), Côte d'Ivoire and the Little Wlebo refugee camp in Maryland county (annex VI). Another document shows what appears to be the breakdown of individuals gathered from Liberia and Côte d'Ivoire (annex VII). This tallies with witness statements taken by the national police and militia sources of the Panel that stated that the individuals with the intention of attacking Côte d'Ivoire were in Côte d'Ivoire and in Liberia, primarily concentrated in the Little Wlebo refugee camp and villages in and around Harper in Maryland county. Similarly, a highly reliable source indicated after the attacks on Fete and Grabo that three groups were involved. Owing to the haste with which the arrested individuals were sent to Côte d'Ivoire or otherwise released, the Panel was unable to determine whether the individuals named and listed in the notebooks were in Liberia or were expecting to be in Liberia ahead of an attack. Regardless, the evidence suggests — and multiple sources told the Panel — that the individuals in question move freely between Liberia and Côte d'Ivoire.

48. The combatants were organized into several smaller groups, operationally linked but under distinct leadership, according to sources in the Government of Liberia, an additional highly reliable source and the detainees' witness statements taken by the national police. This is in line with the way that attacks are often organized in the region and specifically were organized in the past, such as those on Zriglo and Nigre (S/2012/448, para. 82), Péhékanhouébli (S/2012/901, paras. 59-71) and Sakré, Sao and Para in which seven peacekeepers from the Niger were killed (S/2012/901). A document in one of the notebooks listed three groups with three individuals — "Gbegrer", "Kouzo'o" and "Justice" — likely to be the respective commanders of the Force spécial pour la libération de la Côte d'Ivoire, the Force spécial de Dieu pour la libération de Côte d'Ivoire and the Force miraculeuse de

[4] The Panel notes that three mobile telephones taken from the Ivorians and stated by the national police as being in its custody are missing.

Dieu pour la libération de la Côte d'Ivoire (annex VIII). The Panel notes that the notebook also contained a hand-drawn map of the area surrounding Fete and Grabo in western Côte d'Ivoire that included Nigre and Para, where previous attacks have taken place (S/2012/448 and S/2012/901).

49. The Panel obtained further documentary evidence that Hie Gnessoi Brice, one of the Ivorians arrested on 14 February and subsequently transferred to Côte d'Ivoire, is known to have been involved in past militia activity. He is also a registered refugee in the Little Wlebo refugee camp. He was among the some 100 Liberian and Ivorian combatants who crossed from Côte d'Ivoire to Liberia on 24 May 2011 at Tasla, near Youbor, in River Gee county (S/2011/757, paras. 64-69). The group was led by a notorious Liberian mercenary, Mark Doty Wilson (also known as "Mark Miller"), who was subsequently arrested by the Liberian authorities and remains in pretrial detention in Liberia (ibid., paras. 64-75). The group buried a major arms cache in Tasla, Liberia, which was discovered and destroyed in 2011. Testimony from individuals in the group in 2011 indicated that they had access to weapons in Liberia and had also buried weapons near the Cavalla river in Côte d'Ivoire.

Hansen Weah, Augustine Tweah and the role of Liberians

50. There is strong evidence that most of the combatants — or aspiring combatants — in this case were Ivorians. The evidence suggests that Liberians — or those with de facto dual nationality — were the facilitators or low-level managers tasked primarily with the critical function of gathering and guiding the combatants to Côte d'Ivoire. The cases of Hansen Weah and Augustine Tweah exemplify this phenomenon.

51. According to witness statements taken by the national police and obtained by the Panel, Hansen Weah was arrested on 10 February 2014. He gave his name as Hansen Kapet Weah. He stated that he was Ivorian, from Little Wlebo, and initially claimed to have no knowledge of, or connection to, the other people arrested with him. During his interrogation by the national police, however, his mobile telephone rang. The national police officer told Weah to answer it using the speakerphone function. The caller, speaking in French, instructed Weah not to take the individuals to Côte d'Ivoire because the operation had been aborted because the national police were arresting those involved. At that point, according to the national police and Weah's witness statement, Weah began detailing his involvement in the operation, which was to organize and gather up individuals with the intention of attacking Côte d'Ivoire and facilitate their movement from the areas surrounding the Little Wlebo camp to Olodio, Côte d'Ivoire, where the militia would regroup and "train" before attacking the Ivorian armed forces.

52. On 1 March 2014, Weah was released from custody by the River Gee County Attorney, who said that there was insufficient evidence to pursue a prosecution. The Panel subsequently located Weah in the Liberian village of Tuobo Gbawloken. On 13 March, he informed the Panel that he was Liberian, not Ivorian, yet he also said that he was a registered refugee in the Little Wlebo camp.[5] On 26 March, the

[5] Weah's father is Liberian and his mother is Ivorian. He is typical of those with de facto dual nationality who easily and effectively move between Liberia and Côte d'Ivoire.

Liberia Refugee Repatriation and Resettlement Commission confirmed that he was registered under the name of Koudou Kapet Carlos.

53. Weah confirmed to the Panel the account of the telephone call aborting the operation, indicating that the caller had been an individual named "Augustine" who worked with an international non-governmental organization assisting with food distribution. That entity informed the Panel that an individual named "Augustine" who worked in food distribution had been missing since mid-February. Weah further informed the Panel that he had been instructed by an Ivorian to guide and transport the Ivorians from Liberia to Côte d'Ivoire. He claimed that the Ivorians who sought refugee status in Liberia were given his telephone number and contacted him. His role was to wait until he received a call from Côte d'Ivoire, at which point he would organize the Ivorians and bring them to Côte d'Ivoire. He refused to disclose who had given him the order from Côte d'Ivoire. The Panel continues to investigate.

54. The Panel obtained access to Weah's mobile telephone. Both Weah and the national police officer in Webo independently identified a telephone number listed in his contacts as "Augustine" as the man who had called during the interrogation. Weah's mobile telephone contained other names and numbers of interest, including the contact information for two individuals with noms de guerre matching those in the notebooks cited above: "Kouzo'o" and "You Boy" (para. 48 and annex V).

55. In a similar instance, Augustine Tweah (verified not to be the "Augustine" cited above) was arrested on 14 February in connection with alleged militant activity and taken to the police headquarters in Harper. According to the national police and the United Nations police officer present, Tweah was cooperative and detailed his involvement in what was intended to be a cross-border attack into Côte d'Ivoire. According to his witness statement, the intention was to attack government positions and steal the soldiers' weapons. He stated that recruitment was continuing in the Little Wlebo refugee camp. The Liberia Refugee Repatriation and Resettlement Commission informed the Panel on 27 March that recruitment for cross-border attacks was continuing.

56. During the night of 15 February, Tweah escaped from his cell at the national police headquarters in Harper. The Panel later obtained information from two sources that the alleged leader of the Ivorian group resident in Liberia who was arrested had stayed at Tweah's house before his arrest. Similarly, the Liberia Refugee Repatriation and Resettlement Commission and another source in the Little Wlebo refugee camp informed the Panel that the six refugees who had been returned from Côte d'Ivoire had been seen with Tweah when they had returned to Liberia and after he had escaped from custody.

Fete and Grabo attacks

57. On 23 February 2014, a group of some 15 assailants armed with machetes attacked the Ivorian armed forces outpost in the village of Fete, located near the Liberian border in the Tabou department of Côte d'Ivoire. The assailants killed all three soldiers stationed in Fete, disembowelling at least one and allegedly removing organs. The attackers stole the soldiers' three AK-47 rifles. No villagers were attacked. After killing the soldiers, the assailants travelled to the larger nearby town of Grabo, Côte d'Ivoire, where they joined more attackers to assault the armed forces position in Grabo, killing an officer and allegedly stealing more weapons (see

annex III for a further account of the attacks). The attacks illustrate three points relating to the pervasive instability along the border region.

58. First, there are Ivorians in Côte d'Ivoire, Ivorians resident in Liberia and Liberians who remain committed to attacking the Government of Côte d'Ivoire. Unfortunately, because of the hasty transfer of the detainees to the Government of Côte d'Ivoire, a full investigation into this particular group was not carried out. Fuller information on the nature of the groups, their financing and possible sources of arms has been lost. Furthermore, the intention of stealing weapons is not a new phenomenon and presents a longer-term challenge, given that the weapons stolen by militia elements from government forces have not been recovered (S/2013/316, para. 23).

59. Second, the Panel found no clear source of financing for the attacks. They do not appear to have been orchestrated by elite elements affiliated with the former President, Laurent Gbagbo, as was the case in past attacks. Those involved with whom the Panel spoke, in addition to other sources, indicated that the individuals were working in gold mines around the Little Wlebo camp and also in pit-sawing activities. That groups apparently acting independently of the Ivorian political elite can organize and carry out deadly attacks, however limited, against government forces illustrates the weakness of State security in the border region and hints at the commitment of the individual militants involved. The Panel has in previous reports drawn attention to the potential of illegal gold mining by former combatants to fuel violence. It reiterates its concern that the mines serve as grouping points and self-sustaining staging grounds for militant activity (S/2012/901, S/2013/316 and S/2013/683). The Panel will continue to investigate this issue.

60. Third, even small-scale attacks lead to influxes of refugees to Liberia. Following the attacks on Fete and Grabo, in which only four people were killed, 300 Ivorian refugees entered Liberia and were registered by UNHCR. This has the potential to stretch the capacity of the Liberia Refugee Repatriation and Resettlement Commission and UNHCR, which has been focused on repatriating Ivorian refugees, of whom 46,236 remain in Liberia.

Payment of mercenaries

61. The Panel sought to obtain further information about payments made by the Government of Côte d'Ivoire to Liberian mercenaries and Ivorian militiamen resident in Liberia. During the reporting period, the Panel was unaware of such activities. The Panel reiterates that it has found no evidence suggesting that the Government of Liberia was complicit in or even knew about the payments made to mercenaries by the Government of Côte d'Ivoire in 2013 (S/2013/683, para. 31).

B. Liberia-Sierra Leone border

62. The Panel travelled to Sierra Leone in March to investigate security-related issues on both sides of the border, in particular in the Gola Forest region, where former combatants illegally mining gold and poaching bush meat have previously initiated cross-border armed skirmishes (S/2013/316, paras. 33-36). The Gola Forest remains poorly policed. From 10 to 12 December 2013, a joint Liberian-Sierra Leonean assessment mission found that only 2 of the 17 border crossing points between Grand Cape Mount county, Liberia, and Sierra Leone were manned by

Liberian security officials. The Panel notes that thousands of former combatants remain in the area without jobs and are allegedly involved in trafficking of drugs and artisanal shotguns.

63. In Kenema district, the Panel was informed by Sierra Leonean forest rangers monitoring the Gola Forest of an attack by armed men on the rangers in July 2013, which brings to three the number of attacks reported that year. The Panel has reviewed the official report on that attack made by the Gola Rainforest National Park, dated 29 July 2013 (annex IX). Unlike the previous two attacks, which were blamed on former combatants from the Liberian side of the border, the attack in July was blamed on Sierra Leonean soldiers deployed at Lowoma, in the forest, who have now occupied areas previously occupied by the Liberians on the Sierra Leonean side of the border. Just as the former combatants, they are said to be involved in extensive gold mining (ibid.).

64. On 14 March 2013, the Governments of Liberia and Sierra Leone agreed to hold monthly meetings of the Joint Border Security Committee and Confidence-Building Units, but only one has been held to date. The minutes of that meeting, held in Sinje in Grand Cape Mount county on 30 January, are not available because the participants lacked stationery. The meetings provide potentially very important avenues for sharing security information and enhancing good relations between neighbouring States.

V. Illicit trafficking as a possible source of funding for arms

A. Illicit trafficking in minerals

65. The Panel has in the past focused considerably on how exploitation of natural resources such as diamonds and gold may be fuelling illicit trafficking and conflict (S/2013/683, paras. 103-165). The Panel remains concerned that the Government of Liberia does not provide adequate oversight of mining areas and that there is consequently significant smuggling of gold and diamonds to and from Liberia, undermining the Kimberley Process Certification Scheme. The report of the Kimberley Process review mission to Liberia, conducted from 18 to 27 March 2013, was finally issued in mid-May 2014. The Panel has learned from a member of the team that the reason for the unprecedented delay had to do with the fact that the Government of Liberia contested the mission's adverse findings. The findings included extremely weak or non-existent controls at the main international airport, poor record-keeping relating to mine production in regional offices, evidence of routine smuggling of Sierra Leonean diamonds and their certification by Liberia, evidence of illicit diamond mining in many parts of Liberia and a high likelihood that conflict diamonds from Côte d'Ivoire, under a United Nations embargo at the time of the mission, were being processed through the Liberian system. The final report of the Group of Experts on Côte d'Ivoire contains extensive details on the illicit movement of Ivorian diamonds to Liberia, where they are certified and exported abroad (S/2014/266, paras. 200-239). The Panel has made similar findings in its previous reports and reiterates that the problems remain unresolved (S/2013/683, paras. 106-112).

66. In February and March, the Panel investigated illicit mining activities in the regions in which Liberia shares borders with Côte d'Ivoire and Sierra Leone in

order to determine whether proceeds from those activities were being used to finance the purchase of arms by militias or other non-State actors that could pose a threat to the peace and security of Liberia and the subregion. The Panel has found that thousands of former militia fighters, many of them still under the patronage of their former commanders, are engaged in illicit mining of gold and diamonds. The general explanation that the Panel was given by officials for their tolerating such activities was that, in the absence of formal employment opportunities, illicit mining keeps former fighters away from more violent activity such as armed robbery. The Panel found no evidence that proceeds from illicit mining were being used to purchase arms. Nevertheless, the Panel remains concerned that the mines provide recruitment grounds and self-sustaining staging areas for militant activity. In March, the Panel was informed about a new diamond mining boomtown in Wiema, Bong county, which has attracted considerable numbers of former combatants loyal to the former President, Charles Taylor.

67. The Panel visited Bong county, which was the headquarters of the National Patriotic Front of Liberia militia during the civil wars. Although the local authorities were aware that many former fighters were engaged in illicit diamond mining at Wiema, they told the Panel that it was a welcome opportunity, given that the county hosts 22,000 former fighters, or one fifth of all those disarmed in Liberia, many of them unemployed. The Panel will continue to monitor the illicit mining activities to determine whether proceeds therefrom are funding the illicit purchase of arms.

B. Artisanal weapons traffic

68. The Panel found that of more immediate concern to the authorities in Bong county was a thriving market in artisanal or single rifle shotguns, which are mostly manufactured in Guinea and smuggled into the county. The Panel was told that the smuggling was increasingly done by drug traffickers. Bong county shares two official and several unofficial border crossings with Guinea. The rifles are inexpensive; they are sold for between $50 and $100 apiece, and sales are not regulated or monitored.

69. While the weapons may not pose a threat to professional militaries armed with combat rifles, the unmonitored and undocumented movement of such weapons across borders constitutes an arms embargo violation. The Panel also notes that artisanal shotguns have been used in cross-border attacks. Similarly, such weapons are increasingly being used in the commission of local crimes.

C. Drug trafficking

70. The Panel focused its investigation considerably on the persistent targeting of Liberia by individuals and criminal networks as destination and trans-shipment points for narcotic drugs, so as to determine whether proceeds from those highly valued, albeit illicit, commodities were being used to finance illicit arms purchases. The Panel did not establish that to be the case, but received alarming information in Gbarnga that narcotic drug trafficking might be happening in step with illicit firearms trafficking, both from Guinea. The Panel notes that, in addition to undermining State authority, narcotics trafficking establishes and solidifies clandestine routes along which arms can flow. Certainly, the illicit trade in narcotic

drugs affords an opportunity to acquire financing that could be used to acquire weapons, a pattern seen in many countries around the world and in the region. Such factors have considerable potential to undermine peace and security in Liberia and the subregion. The Panel will continue to investigate the issue.

71. During the Panel's border investigations in February and March, UNMIL and Drug Enforcement Agency officials informed the Panel of a growing trend in cocaine, heroin and marijuana trafficking to and through Liberia. They said that a considerable number of those involved in the trafficking as couriers were former combatants and current serving personnel of the military and police forces of the region.

72. Roberts International Airport and the Freeport of Monrovia remain vulnerable to drug trafficking. In a positive step, the Government deployed a joint team of 12 Drug Enforcement Agency and Transnational Crime Unit officials at the airport on 9 December 2013, to be based there indefinitely. The Panel had recommended that action in December 2013 (S/2013/683, para. 174). That same day, the Agency arrested two alleged drug smugglers and confiscated 3.4 kg of heroin.

73. The crime statistics collated by the United Nations police component for 2012 show that 205 people were arrested for drug possession, many for attempting to traffic drugs into and out of Liberia. The figure recorded by the Drug Enforcement Agency for 2013 was 142, showing a downward trend. Of those arrested, 32 were found in possession of cocaine, 36 of heroin and 74 of cannabis. Since the beginning of 2014, however, the number of arrests of drug traffickers appears to have increased, with 27 arrests for drug possession made from 1 January to 7 March.

74. A dramatic case currently being tried in Monrovia involves that of a young man who was arrested on 25 February 2014 by security agents at Roberts International Airport with 47 tubes of cocaine weighing 705 kg (valued at $352,500). He had arrived on a commercial flight from Brazil, his country of residence. Whether some of the intercepted drugs were intended to be sold and consumed in Liberia or were for onward trans-shipment to Europe or North America has not been established. Nevertheless, the small quantities of cocaine and heroin seized on the streets of Monrovia by the Drug Enforcement Agency indicate that there is a growing consumer market in Liberia, with major implications for health and security.[6] It was partly for this reason that the national police launched Operation Pyramid in December 2013, in which it claimed to have arrested 167 drug dealers and users.

75. Of immediate concern to the Panel has been evidence of the involvement of serving security personnel in drug trafficking. On 9 November 2013, a joint security

[6] A forthcoming report by the West Africa Commission on Drugs documents how West Africa has in recent years attracted international drug cartels and organized criminals, leading to the increased availability and use of cocaine, heroin and amphetamine-type stimulants in the region, especially by young people. This phenomenon, it is argued in the report, has the potential to incite corruption within the judiciary and law enforcement agencies in the region, provoke widespread violence and human rights abuses and drive major disease epidemics such as HIV and hepatitis C. The report estimates the worth of the drugs transiting through West Africa at hundreds of millions of dollars, more than the annual budget of Liberia. The Commission is headed by the former President of Nigeria, Olusegun Obasanjo, and was convened by the former Secretary-General, Kofi Annan. The Panel has learned that the report, entitled "Not just in transit: drugs, the State and society in West Africa", will be launched in Dakar in June 2014.

operation involving national police, Drug Enforcement Agency and Transnational Crime Unit officials apprehended a vehicle marked as a vehicle of the police presidential escort containing 10 bags of cannabis with a street value of more than $36,000. Security agents had observed over several months that particular vehicle frequently crossing the border into Sierra Leone and returning to Liberia without being searched. That prompted the search on 9 November, leading to the arrest of the head of the presidential escort, Superintendent Perry Dolo, and four others, including a serving member of the Sierra Leonean armed forces. The suspects are currently in detention awaiting trial. The Government of Liberia later explained that the vehicle had not been part of the presidential escort for the past two years, even though it still bore the official insignia. The Panel was informed by the Agency in March 2014 that the drugs seized might have disappeared in the custody of the court, jeopardizing a successful trial.

76. On 10 December 2013, a day after the deployment of the Drug Enforcement Agency and Transnational Crime Unit agents at the airport, security officials arrested two national police officers and one officer of the Bureau of Immigration and Naturalization as they sought to facilitate the entry of a smuggler carrying 3.5 kg of heroin. On 5 January 2014, highway patrol officers arrested an officer from the Police Support Unit in a vehicle carrying 145 kg of cannabis, valued at $11,500. The cases are pending in court.

77. The Panel notes that most of those recently arrested by security officials have been minor couriers, petty dealers and users. This probably reflects the limited capacity of the law enforcement agencies, in particular the Drug Enforcement Agency, which lacks the resources to staff the border areas of the country properly. It may also reflect a lack of incentive to vigorously pursue powerful trafficking rings, some of which may have millions of dollars at their disposal. Liberia has not yet passed legislation on controlled drugs and substances drafted in 2013, which imposes stiff penalties for drug trafficking. It is one of the few countries in the region that has no drug legislation. Those arrested for possession or trafficking of drugs are tried under public health statutes, whose penalties are negligible (the stiffest appears to be a fine of $50). The Panel notes that, although the draft controlled drugs and substances act is strong on criminal penalties, it makes no provision for treatment of addicted drug users. In view of the growing consumption of narcotic drugs in Liberia, this could be a weakness in the draft act.

78. In March, the Drug Enforcement Agency informed the Panel that it had yet to be authorized by the Government to deploy at the Freeport because the Freeport, which maintains its own police force, strongly objects to the idea. This reflects some of the coordination and jurisdiction problems among Liberian security agencies and is a serious concern. Given that the Freeport offers an ideal point for the trans-shipment of narcotic drugs and that similar activities are known to occur in some other States in West Africa, the Panel is of the opinion that deploying the Agency there is a matter of urgency. The United Nations Office on Drugs and Crime has informed the Panel that narcotic traffickers often now move the drugs across borders in West Africa and then ship them in containers through international maritime shipping from unprotected port areas such as the busy Freeport of Monrovia.

VI. Recommendations

79. The Panel welcomes the efforts by the Liberia National Commission on Small Arms to redraft and resubmit for ratification the firearms control legislation. It strongly urges the Government, in particular the Legislature, to expedite the passage of the legislation in line with ECOWAS standards (S/2013/316, para. 77, and S/2013/683, para. 166). This is particularly urgent in view of the fact that there is little time left to submit, debate and enact the legislation before the Legislature goes into recess and before key legislators begin their 2014 re-election campaigns. The Panel also urges the Government and its bilateral partners to strengthen the Commission by appointing the two other commissioners provided for in the legislation establishing the Commission and to provide them with adequate logistical support to be able to perform their mandated functions effectively. Lifting the arms embargo would be premature without the necessary national legal framework regarding trafficking in illicit arms and ammunition and without the machinery necessary to make that framework functional.

80. The Panel is concerned that weapons are currently not properly marked by the Government. It urges the Government, with the assistance of UNMIL, to mark all weapons maintained in government armouries in accordance with Security Council resolution 1903 (2009) and the ECOWAS Convention on Small Arms and Light Weapons. Similarly, the Panel urges the Government, with the assistance of UNMIL, to implement a suitable method for marking and recording ammunition stocks as a matter of priority (S/2013/316, para. 78), in line with ECOWAS standards.

81. In the immediate term, the Panel urges the Government properly to secure the newly acquired marking machines in the armoury of the armed forces, which is the best managed and most secure of the government armouries. This would have the additional benefit of proximity to the weapons of the armed forces, which should be the first priority to be marked because they currently have the weakest marking safeguards (only a number painted on the stocks, which could easily be removed). Furthermore, the Government, with the support of UNMIL, should develop a plan with regard to how and where to mark weapons that enter the country. Ultimately, housing a marking machine in a secure location at a port of entry — recognizing that such ports are currently insecure for such purposes — would help to prevent flows of unmarked weapons into Liberia.

82. The Panel welcomes progress between the Governments of Liberia and Côte d'Ivoire and between UNMIL and UNOCI under the quadripartite framework. It encourages the continued exchange of information under that agreement. The Panel urges the two Governments to intensify the exchange of information regarding cross-border threats to peace and security, in addition to illicit arms trafficking, especially at the operational level, as part of the development of their shared border security strategy. The Panel notes that, while it was agreed at the quadripartite meeting held in June 2012 to suspend all alluvial gold mining in the border regions, that decision has never been acted upon. It urges the two Governments to do so urgently.

83. The Government of Liberia, the Liberia Refugee Repatriation and Resettlement Commission and UNHCR should consider reviewing the policy of prima facie refugee determinations whereby every Ivorian who crosses into Liberia

is presumed to be a refugee. This policy has led to documented instances of militants gaining refugee status (S/2011/757, paras. 64-69, S/2013/316, annex III, and para. 49 above), creating significant challenges for the Governments of Liberia and Côte d'Ivoire and endangering genuine refugees and civilians. The Commission and UNHCR should consider implementing further relevant screening processes, such as individual determinations of those claiming to be refugees.

84. The Panel stresses the importance of continued support from UNMIL and all the security sector reform partners of Liberia towards strengthening the Government's investigatory capacity, both overall and among individual officers. The Panel urges the United Nations police component to increase its mentoring of the national police with regard to forensics, criminal investigations and transnational crime, including by building the capacity of the national police to strengthen links between law enforcement investigations and evidence collection so that such evidence can be used more effectively in a court of law. Furthermore, the Panel believes that joint training between the national police and prosecutors to strengthen relationships and enhance knowledge of how evidence can be collected and used in court is imperative.

85. The Panel notes that the Government has yet to enact the legislation on controlled drugs and substances that was drafted in 2013 and that Liberia is one of the few countries in the region with no drug legislation. This is a serious gap, given that the absence of such a critical legislative framework undermines the work of government agencies combating the threat of drug trafficking and organized crime in Liberia. The Panel urges the Legislature to enact the legislation as a matter of urgency.

86. Also important in strengthening anti-narcotics efforts is the need for the Government to grant the Drug Enforcement Agency free and unrestricted access to the Freeport of Monrovia and to other seaports and border posts throughout the country (S/2013/683, para. 174). The Panel is deeply concerned that such access has still not been granted.

87. The Panel urges the Governments of Liberia and Sierra Leone to allocate the resources necessary to make the monthly meetings of the Joint Border Security Committee and Confidence-Building Units regular and properly focused.

Annex I

List of entities with which the Panel had meetings and consultations

Liberia

Action on Armed Violence
African Union
Armed Forces of Liberia
Bureau of Immigration and Naturalization
Drug Enforcement Agency
Economic Community of West African States
Emergency Response Unit
Executive Protection Service
Liberia National Commission on Small Arms
Liberia Refugee Repatriation and Resettlement Commission
Liberian National Police
Ministry of Defence
Ministry of Foreign Affairs
Ministry of Internal Affairs
Ministry of Justice
Ministry of State/Office of the President
National Security Agency
Police Support Unit
United Nations Mine Action Service
United Nations Mission in Liberia
United Nations Office on Drugs and Crime
United Nations police

Embassy of Côte d'Ivoire
Embassy of Sierra Leone
Embassy of the United Kingdom of Great Britain and Northern Ireland

Côte d'Ivoire

Gendarmerie
National Police
Office of the United Nations High Commissioner for Refugees
Republican Forces of Côte d'Ivoire
United Nations Operation in Côte d'Ivoire

Sierra Leone

Gola Rainforest National Park
Office of National Security
Republic of Sierra Leone Armed Forces
Sierra Leone Police
Transnational Organized Crime Unit
United Nations police

Annex II

Arrest of individuals in Liberia and the transfer of refugees to Côte d'Ivoire

The national police arrested 7 individuals on 7 February, 8 on 10 February and 11 on 14 February. The arrests took place in multiple locations in River Gee and Maryland counties, in the vicinity of the Little Wlebo refugee camp in Maryland county and among clusters of Ivorians resident in Liberia.

The national police informed the Panel that the individuals arrested had no identification documents at all and no documents relating to their refugee status, such as refugee registration cards or food ration cards. The national police also said that UNHCR had never told it that the individuals were registered refugees. UNHCR in turn told the Panel that its representatives had informed the national police that the arrested individuals were refugees and that that communication had been documented in internal UNHCR documents, to which the Panel was denied access. The Panel requested information from the national police and UNHCR to support the claims, but was not provided with any.

The Panel notes that the Government of Liberia has established a committee that includes representatives of relevant government agencies to look into the matter and provide a full account of the incident, including the circumstances of the transfer of the detainees to the Government of Côte d'Ivoire during the night of 17 February.

On 6 March, 6 of the 21 refugees transferred to Côte d'Ivoire were returned to Liberia by the Government of Côte d'Ivoire and were sent back to the Little Wlebo refugee camp. The Panel sought to speak with those individuals once they had returned to Liberia, but UNHCR denied the Panel access to them. The remaining individuals appear still to be detained in Côte d'Ivoire.

Annex III

Attacks on Fete and Grabo, Côte d'Ivoire

On 23 February 2014, assailants armed with machetes attacked the Ivorian armed forces position in Fete, Côte d'Ivoire, killing all three soldiers stationed there before travelling to the larger nearby town of Grabo to attack the Ivorian armed forces outpost there, where another soldier was killed. An assailant was also killed. The assailants stole at least four AK-47 rifles.

By the time that the group had reached Grabo, the assailants' numbers had increased, as possibly two other groups of militants had joined them, as had sympathetic villagers who had joined along the way from Fete to Grabo. A highly reliable source indicates that there were three groups of attackers. This tallies with militia sources that the Panel interviewed and the documentary evidence obtained in Liberia (paras. 49-56). The assailants attacked the Ivorian soldiers in Grabo using the AK-47 rifles stolen from the slain soldiers in Fete, in addition to artisanal shotguns and possibly other small arms that the joining groups brought with them. According to the battalion from the Niger, the Ivorian soldiers fled their position in Grabo, leaving behind their weapons and ammunition, including a heavy machine gun and a rocket-propelled-grenade launcher with three rockets, some of which, if not all, was stolen.

The soldiers from the Niger stated to the Panel that they had mounted a patrol in the area at 6.45 a.m. on 24 February and encountered roadblocks guarded by armed — but unorganized — militiamen. Those roadblocks were probably intended to be ambush points to attack the Ivorian reinforcements, a tactic often used by militias in the region in such small hit-and-run attacks. The attackers dispersed and none of the stolen weapons were recovered.

In the aftermath of the attack, the Government of Côte d'Ivoire, assisted by local villagers, arrested a number of individuals. The Panel obtained a document that stated that 19 people had been arrested, listing their names. Officials from the Ivorian armed forces, the gendarmerie and the police informed the Panel that the total number of individuals detained was closer to 30. On 27 February, a highly reliable source reported that 45 suspects had been arrested and transferred to the government security service in Abidjan.

The Ivorian armed forces, gendarmerie and police officials claimed that the attackers were Ivorians and Liberians who came from Liberia, mainly from Little Wlebo. They showed the Panel photographs and videos of those whom they had arrested, including those whom they claimed were Liberians. They provided no information on those individuals, such as their names, any evidence linking them to the attack or evidence that they had been resident in Liberia. They also refused to provide the photographs or videos for independent verification. Security officials of the Government of Liberia informed the Panel that they were unaware of any Liberian citizens being arrested by the Government of Côte d'Ivoire, which the Liberian authorities claimed has provided no information on cross-border links of those arrested in Côte d'Ivoire in connection with the attacks. Of the list of the 19 detainees obtained by the Panel, villagers in Fete and Grabo identified three as being from the nearby village of Tiboto. None were known by the villagers interviewed by the Panel to have fled to Liberia.

Annex IV

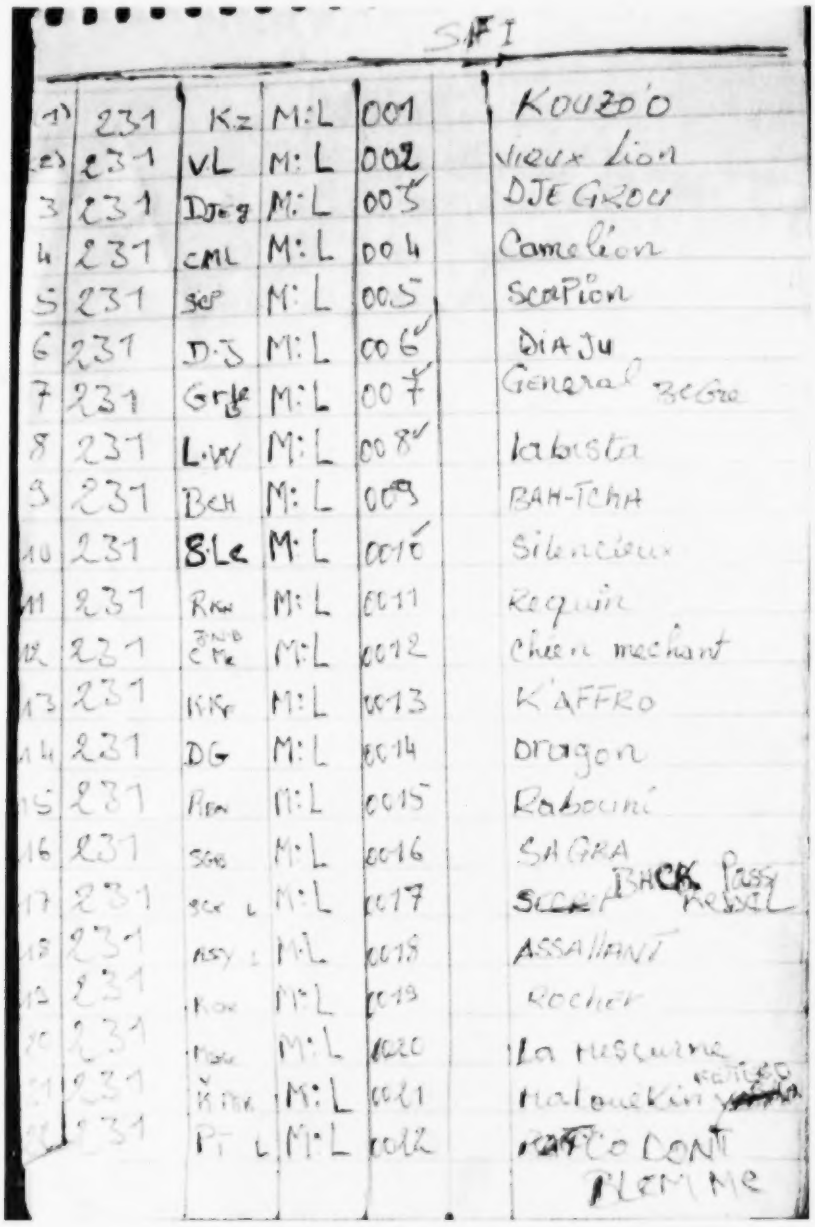
Example page of the detailed roster of 72 individuals

NOM : [redacted]
PRENOM : [redacted]
DATE DE NAISSANCE : 05-06-1981
LIEU DE NAISSANCE : TOUBA
NOM DU PERE : [redacted]
NOM DE LA MERE : [redacted]
PROFFESSION : PLANTEUR
RESIDENCE : TOUMODI
NATIONNALITE : IVOIRIENNE
N° DE CARTE : [redacted]
N° DE TELPHONE : [redacted]

NOM : [redacted]
PRENOM [redacted]
DATE DE NAISSANCE et LIEU : 10-04-1986 A DJIGLO
NOM DE PERE : [redacted]
NOM DE LA MERE : [redacted]
PROFFESSION : BLANCHISSEUR
RESIDENCE : SOUBRE
NATIONNALITE : ~~IVOIENNE~~ IVOIRIENNE
N° DE CARTE : [redacted]
N° DE TELPHONE [redacted]

Annex V

Example page of the roster of individuals listed by noms de guerre

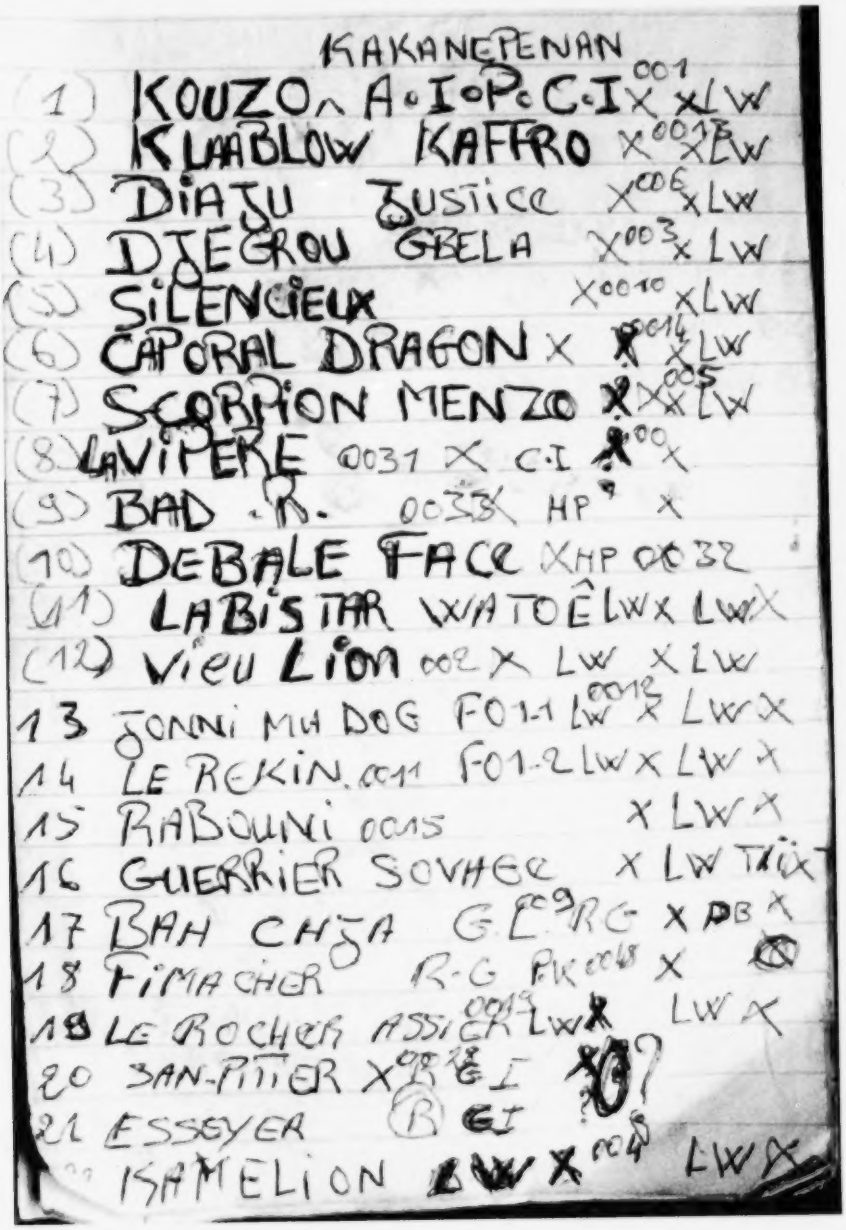


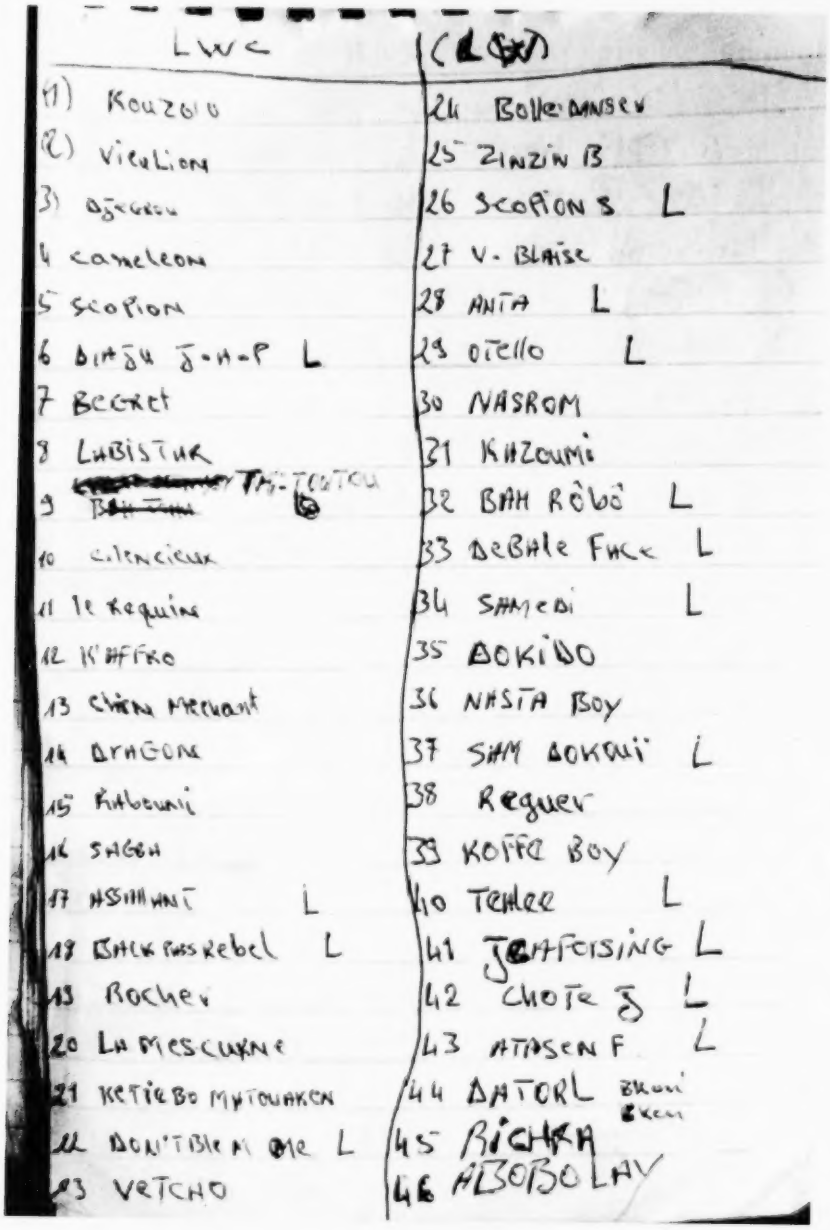
SAFI

1	231	Kz	M:L	001	KOUZO'O
2	231	VL	M:L	002	Vieux Lion
3	231	DJG	M:L	003	DJE GROU
4	231	CML	M:L	004	Caméléon
5	231	SCP	M:L	005	Scapion
6	231	D.J	M:L	006	DIA JU
7	231	Grle	M:L	007	General BEGRE
8	231	L.W	M:L	008	kalashi
9	231	BCH	M:L	009	BAH-TCHA
10	231	SLe	M:L	010	Silencieux
11	231	RQN	M:L	011	Requin
12	231	2ND C Me	M:L	012	Chien mechant
13	231	KKF	M:L	013	K'AFFRO
14	231	DG	M:L	014	Dragon
15	231	RBM	M:L	015	Rabouni
16	231	SGR	M:L	016	SAGRA
17	231	SCR L	M:L	017	SCORPION BHCK Pass Reseau
18	231	ASS L	M:L	018	ASSAILLANT
19	231	ROC	M:L	019	Rocher
20	231	Mal	M:L	020	La Noscurne
21	231	KTK	M:L	021	Malaweekin Capitaine
22	231	PT L	M:L	022	PETIT CON PLEMME

Annex VI

Two documents listing suspected locations of militants

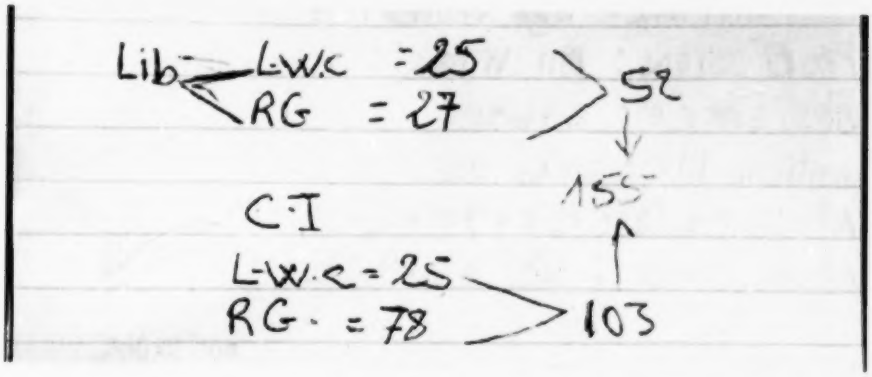

KAKANEPENAN
(1) KOUZO A.I.P.C.I X LW
(2) KLAABLOW KAFFRO X LW
(3) DIATU JUSTICE X LW
(4) DJEGROU GBELA X LW
(5) SILENCIEUX X LW
(6) CAPORAL DRAGON X LW
(7) SCORPION MENZO X LW
(8) LAVIPERE 0031 X C.I X
(9) BAD .R. 0033 HP X
(10) DEBALE FACE XHP 0032
(11) LABISTAR WATOÊ LW X LW X
(12) VIEU LION 002 X LW X LW
13 JONNI MH DOG FO1-1 LW X LW X
14 LE REKIN 011 FO1-2 LW X LW X
15 RABOUNI 0015 X LW X
16 GUERRIER SOVHEE X LW TIX
17 BAH CHJA GEORG X DB X
18 FIMACHER R-G PK 0018 X
19 LE ROCHER ASSIER 0019 LW X LW X
20 SAN-PITER X 0018 GI
21 ESSEYER B GI
ISAMELION LW X 004 LW X



LWC	(L)
1) KOUZOU	24 BOLLE DANSEU
2) VIEILLION	25 ZINZIN B
3) OGBOGOU	26 SCORPIONS L
4 CAMELEON	27 V. BLAISE
5 SCORPION	28 ANTA L
6 DIAGU J-H-P L	29 OTELLO L
7 BECKET	30 NASROM
8 LUBISTUR	31 KAZOUMI
9 ~~BAH TOM~~ TA-TOSTOU	32 BAH RÔBÔ L
10 SILENCIEUX	33 DEBALE FACE L
11 LE REQUINS	34 SAMEDI L
12 K'AFFRO	35 BOKIDO
13 CHIEN MECHANT	36 NASTA BOY
14 DRAGON	37 SAM BOKOLI L
15 KABOUNI	38 REGUER
16 SNGEN	39 KOFFI BOY
17 ASSIMILANT L	40 TEHLEE L
18 BLACK PUSSREBEL L	41 JEMFOISING L
19 ROCHER	42 CHOTE J L
20 LA MESCLUNE	43 ATASEN F L
21 KETIEBO MYTOUAKON	44 DATORL BROWN BEAR
22 DON'T BLEAM ME L	45 RICHER
23 VETCHO	46 HEBOBOLAY

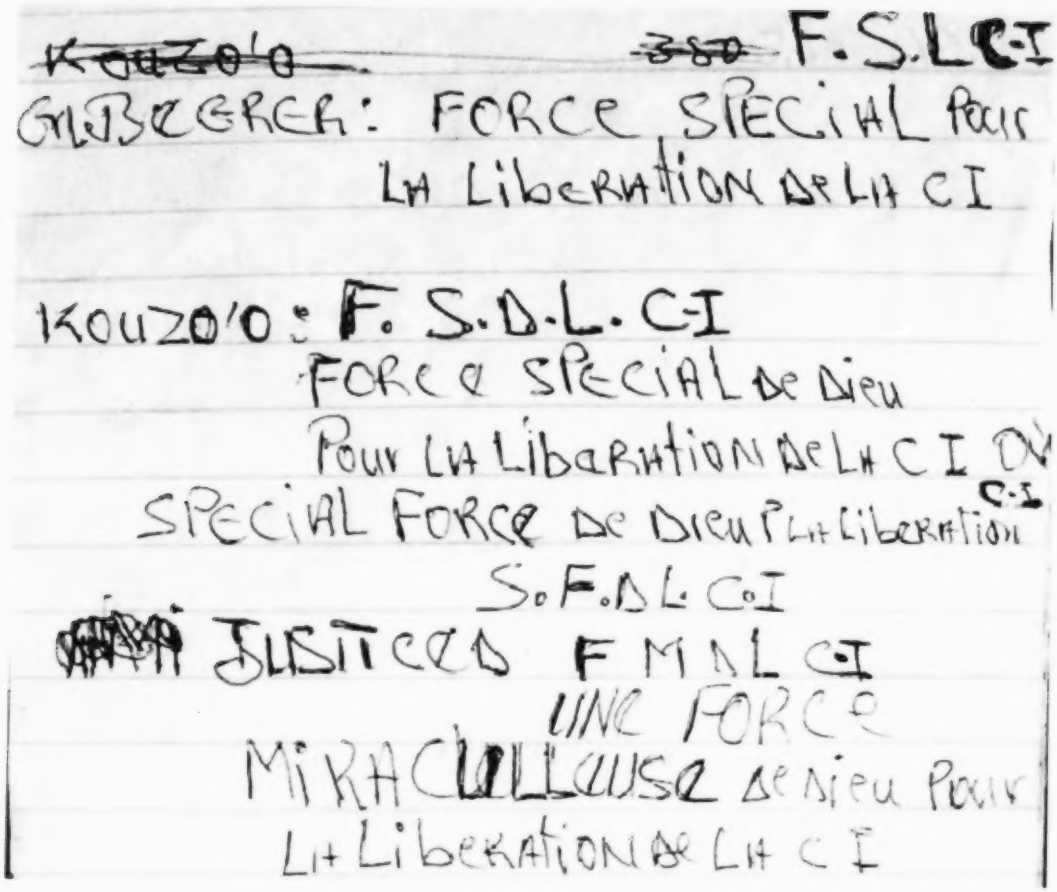
Annex VII

Suspected breakdown of militants located in Liberia and Côte d'Ivoire



Annex VIII

Militant groups and suspected commanders


~~KOUZO'O~~ ~~380~~ F.S.L C-I
GLOBEGREA: FORCE SPECIAL Pour
LA LIBERATION DE LA CI
KOUZO'O: F. S.D.L. C-I
FORCE SPECIAL de Dieu
Pour LA LIBERATION DE LA C I
SPECIAL FORCE de Dieu Pour LA Liberation C-I
S.F.D.L C.I
JUSTICES F M D L C-I
UNE FORCE
MIRACULEUSE de Dieu Pour
LA LIBERATION DE LA C I

Annex IX

"Attack on rangers": report by the Gola Rainforest National Park (Sierra Leone)

Gola Rainforest National Park

164 Dama Road
Kenema
Sierra Leone
Phone: +232(0)76420418
E mail: golaforest@yahoo.com
www.golarainforest.com

FROM: The Supervisor Park Operations
TO: The Superintendent Park Operations/ DPAM
DATE: 29th July 2013

Sir,

SUBJECT: **RESPONSE TO INSURGENT ATTACK ON RANGERS**

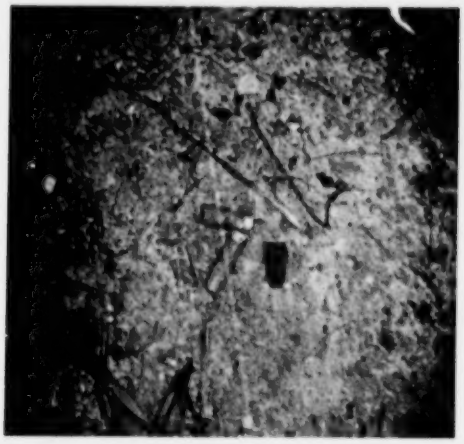
On Friday 26th July 2013 at about 9am in the morning I received a phone call from the senior ranger Musa Swaray in charge of the team deployed at Baoma, Nomo chiefdom. He told me that they were calling right from the National Park where there is an Airtel signal. Their concern was about their salaries which they did not collect at the banks due to the patrol movement. I told them to call on me by 11am for further instructions.

At about 12:40pm that same day I again, received a call from a Senior Police officer in Kenema to confirm from me about a report he has received on Gold mining activity in GRNP. I told him that for the past 3-4 months there have been no reports of any mining activity.

Suddenly at about 3:18pm another call was received from ranger Braima Gbatekaka that they have been attacked when patrolling in the National Park by an unknown group of miners who shot at them with shot guns. According to him they fired at them from close range. Three shots were fired wherein Braima Gbatekaka who was in front of the patrol sustained several gunshot bullets on his body. They tactically manoeuvred from that zone to different directions.

This incident was reported to the AIG East, at about 4:00pm and he gave the go ahead to the OC. OSD to provide a Rapid Response team of OSD personnel to rescue the un- armed rangers who have been attacked by armed miners. The team which comprised of 6 armed OSD left Kenema immediately for Baoma Nomo under my supervision. Unfortunately we did not meet anyone at the scene where the incident had happened; it was an old mining site which they have again started to mine. At the mining site we found 3 new empty cartridge shells, saw a new set up fire place and 3 pits of washed gravel in the National Park. We continued our search for two nights to locate their

Empty Shotgun cartridge shells



Set up fire place

Newly washed Gold gravel inside the Mining pit in the GRNP

Position but we only came across their foot tracks which indicated to us that they were from Levuma via Faama.

I met with a former Community Volunteer whom I sent on a surveillance patrol to follow their steps and report back to me at Boboyeima where we established our tactical base. Upon his findings, he saw a place where they rested and got information from several people who said that they saw some soldiers with some civilians that Friday night moving towards the forest with shot guns in their possession. After our patrol on the 28th July 2013 I was invited by the FMC chairman and the Paramount chief of Nomo chiefdom to know exactly what happened. The team went there and met with the chairman but the PC had already gone to Kenema. He expressed disappointment on the incident and advised for the recruitment of the community volunteers in their chiefdom because they were assisting and providing information to the rangers in regards to any mining activity.

The community people are raising an eye brow at the soldiers who are deployed at Lowoma to have again started this gold mining and attempted the murdering of a GRNP ranger.

Submitted by

Charles Conteh

Cc:

The Project Leader

The Acting Protected Area Manager

The Human Resources Manager